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TO RUEHC/SECSTATE WASHDC PRIORITY  
INFO RUCNMEU/EU INTEREST COLLECTIVE PRIORITY  
RUCNMEM/EU MEMBER STATES COLLECTIVE PRIORITY  
RUEHGG/UN SECURITY COUNCIL COLLECTIVE PRIORITY  
RUCPDOG/DEPT OF COMMERCE WASHDC PRIORITY  
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY  
RUEATRS/DEPT OF TREASURY WASHDC PRIORITY  
RHEFHLC/DEPT OF HOMELAND SECURITY WASHINGTON DC PRIORITY  
RHEHNSC/NSC WASHDC PRIORITY  
RUEAORC/US CUSTOMS AND BORDER PROTECTION WASHINGTON DC PRIORITY  
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C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 000197

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SUBJECT: EU REVISES ZIMBABWE SANCTIONS

Classified By: USEU EconMinCouns Peter Chase for reasons  
1.4 (b) and (d).

¶1. (C//NF) SUMMARY. The EU formally agreed on February 15 to extend its sanctions against Zimbabwe by twelve months. Changes include the de-listing of six individuals and nine entities; the EU otherwise rolled over all existing program measures. Preambulatory paragraphs within the Council Decision helpfully note that sanctions remain appropriate and should be extended, due to the lack of progress in implementation of Zimbabwe's Global Political Agreement. But these also state that "there are no longer grounds" for maintaining certain listings, which may prove detrimental to U.S. designations of the relevant individuals and entities or to transatlantic political messaging concerning Zimbabwe. Brussels-based contacts say that the action came after intense debate and compromise; some Member States (notably Belgium, see below) pushed strongly for a more limited six-month rollover. Concerning de-listings, contacts are adamant that signs of dynamism in the EU program will encourage and empower the MDC. USG officials cautioned in advance of the EU decision that the de-listings could undermine our common political front and diminish EU leverage vis-a-vis Robert Mugabe and the Zimbabwean regime (SEPTEL). Separately, the EU extended for another year its suspension of budgetary support to the GoZ under Article 96 of the Cotonou Agreement. END SUMMARY.

¶2. (C) During the February 15 Education, Youth and Culture Council formation meeting, the European Union formally agreed to extend its sanctions against Zimbabwe by twelve (12) months. Revisions to the EU program, which were adopted without debate, may be found in Council Decision 2010/92/CFSP. The EU de-listed six (6) individuals and nine (9) entities, but otherwise rolled over all existing program measures. The individuals include one (1) who has left the GoZ, four (4) who are now deceased, and one (1), Thamer Al Shanfari, whom the EU assesses no longer meets designation criteria. Eight (8) of the entities are Zimbabwean parastatals that were designated by the EU on January 27, 2009, but which have been judged, based on reporting from EU Member State missions in Harare, to be under control of the Zimbabwean finance ministry and thus de-linked from ZANU-PF.

¶3. (C//NF) Brussels-based contacts (UK, Spain as current EU Presidency, EU Council Secretariat) say that the action came after intense debate and compromise. Our interlocutors were

unwilling to revisit de-listing decisions once the necessary compromises were struck within the Council's COAFR regional working group (late January). They were also adamant that select de-listings were appropriate and that signs of dynamism in the EU program would encourage and empower the MDC. A U.S. delegation visiting Brussels to discuss sanctions issues (SEPTEL) informed EU institutional and Member State contacts that parastatal designations were assessed by the USG to be a significant leverage point vis-a-vis Robert Mugabe and ZANU-PF, and cautioned that the de-listing of these entities would most likely diminish EU leverage with respect to the Zimbabwean regime.

¶4. (C//NF) Some Member States pushed strongly for a more limited six-month rollover. The UK and Council Secretariat seem especially content that EU measures will be extended by a full year. USEU notes that a six-month rollover would have placed Zimbabwe sanctions on the Council's agenda during Belgium's stewardship of the rotating EU Presidency. The Belgian External Relations ("RELEX") sanctions representative, who will presumably chair the RELEX sanctions working group during his country's July-December 2010 EU Presidency, reportedly frequently complicates life for the UK, in particular on Zimbabwe issues, even using a technical pretext to delay this specific rollover for as long as possible. Contacts note that this individual has behaved in a rogue manner at times in EU working group meetings, sometimes contradicting his explicit instructions from the Belgian Foreign Ministry.

¶5. (C//NF) The visiting U.S. delegation raised the

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importance of messaging with the UK, Spain, and Council Secretariat. U.S. officials indicated that the USG would not be easing our Zimbabwe sanctions and shared our desire to maintain a common transatlantic political front. The Spanish Presidency and the Council Secretariat reviewed draft text for the conclusions that now accompany the new Common Position. U.S. officials noted several points of concern, and our contacts agreed to remove language that would undermine USG political messaging. Their finalized conclusions are largely neutral, stating simply that sanctions were extended before listing measures that the program currently includes.

¶6. (C) However, there are two preambulatory paragraphs with political implications within the body of Council Decision 2010/92/CFSP. The first helpfully notes the lack of progress in implementation of the Global Political Agreement. The second treats de-listings as a group and in generic terms, stating that "there are no longer grounds" for maintaining certain listings. (COMMENT: This may prove detrimental to U.S. designations of the relevant individuals and entities. END COMMENT.)

¶7. (C//NF) During a February 2 bilateral meeting with the UK (SEPTEL), the U.S. delegation also asked if the EU would consider creating a system of temporary licensing of transactions with designated entities as an alternative to the relatively permanent de-listing action. The UK said that there was no appetite within the EU for a licensing regime, which finance ministries find overly burdensome.

¶8. (U) Separately, the EU Council also extended for another year measures first taken in 2002 against the Government of Zimbabwe under Article 96 of the Cotonou Agreement. These measures include the suspension of budgetary support and projects, but do not affect humanitarian and social operations, or projects benefiting the implementation of the GPA. The EU considers that these measures can only be fully revoked once the GPA is effectively put into practice by the Zimbabwean authorities.

MURRAY